

116TH CONGRESS  
1ST SESSION

# S. 1334

Authorizing a program to promote innovative approaches to securing prompt access to appropriate care for individuals presenting at emergency departments with acute mental health illness.

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IN THE SENATE OF THE UNITED STATES

MAY 6, 2019

Mrs. CAPITO (for herself and Ms. HASSAN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

Authorizing a program to promote innovative approaches to securing prompt access to appropriate care for individuals presenting at emergency departments with acute mental health illness.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Improving Mental  
5 Health Access from the Emergency Department”.

1 **SEC. 2. PROGRAM TO SUPPORT ACCESS TO APPROPRIATE**  
2 **CARE FOR INDIVIDUALS PRESENTING AT**  
3 **EMERGENCY DEPARTMENTS WITH ACUTE**  
4 **MENTAL HEALTH ILLNESS.**

5 Subpart 3 of part B of title V of the Public Health  
6 Service Act (42 U.S.C. 290bb–31 et seq.) is amended by  
7 adding at the end the following:

8 **“SEC. 520N. SECURING APPROPRIATE CARE FOR ACUTE**  
9 **MENTAL HEALTH ILLNESS FOLLOWING AN**  
10 **EMERGENCY DEPARTMENT ENCOUNTER.**

11 “(a) IN GENERAL.—The Secretary, acting through  
12 the Director of the Center for Mental Health Services,  
13 may award grants on a competitive basis to eligible enti-  
14 ties to implement innovative approaches to securing  
15 prompt access to appropriate follow-on care for individuals  
16 experiencing acute mental health episodes and presenting  
17 for care in emergency departments.

18 “(b) ELIGIBLE ENTITIES.—To be eligible to receive  
19 a grant under this section, an entity shall be a health care  
20 facility licensed under applicable law that—

21 “(1) has an emergency department;

22 “(2) is staffed by medical personnel (which may  
23 include emergency physicians, psychiatrists, psy-  
24 chiatric registered nurses, mental health technicians,  
25 clinical social workers, psychologists, and therapists)  
26 capable of providing treatment focused on stabilizing

1 acute mental health conditions and assisting individ-  
2 uals to access resources to continue treatment in the  
3 least restrictive appropriate setting; and

4 “(3) has arrangements in place with other pro-  
5 viders of care that can provide a full range of medi-  
6 cally appropriate, evidence-based services for the  
7 treatment of acute mental health episodes.

8 “(c) USE OF FUNDS.—An entity receiving a grant  
9 under this section shall use funds received under such  
10 grant to create, support, or expand programs or projects  
11 intended to assist individuals who are treated at its emer-  
12 gency department for acute mental health episodes and  
13 to expeditiously transition such individuals to an appro-  
14 priate facility or setting for follow-on care. Such uses may  
15 include any of the following:

16 “(1) Emergency department evaluation, treat-  
17 ment, stabilization, observation, and referral (includ-  
18 ing implementation of validated screening tools).

19 “(2) Expediting placement in appropriate facili-  
20 ties through activities such as expanded coordination  
21 with regional service providers, assessment, peer  
22 navigators, bed availability tracking and manage-  
23 ment, transfer protocol development, networking in-  
24 frastructure development, and transportation serv-  
25 ices.

1           “(3) Increasing the supply of inpatient psy-  
2           chiatric beds and alternative care settings such as  
3           regional emergency psychiatric facilities.

4           “(4) Use of alternative approaches to providing  
5           psychiatric care in the emergency department set-  
6           ting, including through tele-psychiatric support and  
7           other remote psychiatric consultation, implementa-  
8           tion of peak period crisis clinics, or creation of psy-  
9           chiatric emergency service units.

10           “(5) Such other activities as the Secretary may  
11           determine appropriate.

12           “(d) APPLICATION.—An eligible entity desiring a  
13           grant under this section shall prepare and submit an ap-  
14           plication to the Secretary at such time and in such manner  
15           as the Secretary may require. At a minimum, the applica-  
16           tion shall include the following:

17           “(1) A description of identified need for acute  
18           mental health services in the entity’s service area.

19           “(2) A description of the existing efforts of the  
20           entity to meet the need for acute mental health serv-  
21           ices in the service area, and identified gaps in the  
22           provision of such services.

23           “(3) A description of the proposed use of funds  
24           to meet the needs and gaps identified under para-  
25           graph (2).

1           “(4) A description of how the entity will coordi-  
2           nate its efforts with Federal, State, local, and pri-  
3           vate entities within the service area.

4           “(5) A description of program objectives, how  
5           the objectives are proposed to be met, and how the  
6           provider will evaluate outcomes relative to objectives.

7           “(e) AUTHORIZATION OF APPROPRIATIONS.—For the  
8           purpose of carrying out this section, there are authorized  
9           to be appropriated \$15,000,000 for each of fiscal years  
10          2021 through 2025.”.

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